

(1) in subsection (a), by striking paragraph (1) and redesignating paragraphs (2) through (7) as paragraphs (1) through (6), respectively;

(2) in subsection (e)—

(A) by striking “this section” both places it appears and inserting “subsection (a)”;

(B) in paragraph (1), by striking “Subject to paragraph (3), the” and inserting “The”; and

(C) by striking paragraph (3); and

(3) by adding at the end the following:

“(g) BEND PINE NURSERY CONVEYANCE.—

“(1) CONVEYANCE TO PARK AND RECREATION DISTRICT.—Upon receipt of consideration in the amount of \$3,503,676 from the Bend Metro Park and Recreation District in Deschutes County, Oregon, the Secretary shall convey to the Bend Metro Park and Recreation District all right, title, and interest of the United States in and to a parcel of real property consisting of approximately 185 acres and containing the Bend Pine Nursery, as depicted on the site plan map entitled ‘Bend Pine Nursery Administrative Site, May 13, 2004’. Subject to paragraph (2), the real property conveyed to the Bend Metro Park and Recreation District shall be used only for public recreation purposes and may be developed for those purposes. If the Secretary determines that the real property subject to this condition is converted, in whole or in part, to a use other than public recreation, the Secretary shall require the Bend Metro Park and Recreation District to pay to the United States an amount equal to the fair market value of the property at the time of conversion, less the consideration paid under this paragraph.

“(2) RECONVEYANCE OF PORTION TO SCHOOL DISTRICT.—As soon as practicable after the receipt by the Bend Metro Park and Recreation District of the real property described in paragraph (1), the Bend Metro Park and Recreation District shall convey to the Administrative School District No. 1, Deschutes County, Oregon, without consideration, a parcel of real property located in the northwest corner of the real property described in paragraph (1) and consisting of approximately 15 acres. The deed of conveyance shall contain a covenant requiring that the real property conveyed to the School District be used only for public education purposes.”.

(b) CONFORMING AMENDMENT.—Section 4(a) of such Act is amended by striking “section 3(a)” and inserting “section 3”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 1848.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

Mr. GIBBONS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 1848, introduced by Senator RON WYDEN of Oregon, would amend the Bend Pine Nursery Land Conveyance Act to specify the recipients and consideration for conveyance of the Bend Pine Nursery, and for other purposes.

This bill will bring closure to an administrative process that has already taken far too long to complete. Specifically, the bill will convey 170 acres of the Bend Pine Nursery site to the Bend metro Parks and Recreation District and would also convey an additional 15 acres to the Bend-LaPine School District to construct an elementary school. The bill also contains a reference to an updated Forest Service map, at the request of the administration.

Just last month, the House passed the companion to this bill, H.R. 3505, introduced by the gentleman from Oregon (Mr. WALDEN). Unfortunately, the House bill has been held back at the desk of the other body for unrelated political collateral. Recognizing the importance and merits of this legislation, regardless of the bill number, the gentleman from Oregon (Mr. WALDEN) has strongly pushed the movement of the Senate bill. This will end petty partisanship and will instead pass fair-minded legislation benefiting the State of Oregon.

I urge adoption of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Nevada has adequately explained the pending legislation. We have no objection to it on our side. In fact, I commend our colleague on this side of the aisle, the gentleman from Oregon (Mr. DEFAZIO) for his diligence in pursuing consideration of this bill by the House. The gentleman is a valued member of both the Committee on Resources and the other committee upon which I sit, the Committee on Transportation and Infrastructure.

Mr. Speaker, I have no further requests for time and I yield back the balance of my time.

Mr. GIBBONS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I also would like to thank my colleague and friend, the gentleman from West Virginia (Mr. RAHALL) for his professionalism on this bill. I would urge an aye vote.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the Senate bill, S. 1848.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### JOHN MUIR NATIONAL HISTORIC SITE BOUNDARY ADJUSTMENT ACT

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3706) to adjust the boundary of the John Muir National Historic Site, and for other purposes.

The Clerk read as follows:

H.R. 3706

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “John Muir National Historic Site Boundary Adjustment Act”.

#### SEC. 2. BOUNDARY ADJUSTMENT.

(a) BOUNDARY.—The boundary of the John Muir National Historic Site is adjusted to include the lands generally depicted on the map entitled “Boundary Map, John Muir National Historic Site” numbered PWR-OL 426-80,044a and dated August 2001.

(b) LAND ACQUISITION.—The Secretary of the Interior is authorized to acquire the lands and interests in lands identified as the “Boundary Adjustment Area” on the map referred to in subsection (a) by donation, purchase with donated or appropriated funds, exchange, or otherwise.

(c) ADMINISTRATION.—The lands and interests in lands described in subsection (b) shall be administered as part of the John Muir National Historic Site established by the Act of August 31, 1964 (78 Stat. 753; 16 U.S.C. 461 note).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentleman from West Virginia (Mr. RAHALL) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3706.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

□ 1545

Mr. GIBBONS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 3706, introduced by our committee colleague, the gentleman from California (Mr. GEORGE MILLER), would authorize the Secretary of the Interior to adjust the boundaries of the John Muir National Historic Site.

A 1994 National Park Service boundary survey discovered that approximately 9,500 square feet of land donated to the historic site by the city of Martinez, California, was actually not part of the donation, and, in fact, had no clear title holder. Because of this dilemma, the Park Service has been unable to proceed with an important expansion of the parking area.

H.R. 3706 would simply allow for the acquisition of the two-tenths-of-an-acre parcel of land so that the parking facility may be built.

Mr. Speaker, H.R. 3706 is supported by both the majority and minority of the committee and by this administration. I urge adoption of this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. RAHALL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Nevada (Mr. GIBBONS) has adequately explained H.R. 3706, which was introduced by our good friend and colleague, the gentleman from California (Mr. GEORGE MILLER). I would just note that the boundary adjustment is about as small as anyone can recall, covering about 9,500 square feet, or just two-tenths of an acre. However, this adjustment is necessary to clear up a land title problem and allow the construction of a needed visitor center and facilities for the historic site.

The National Park Service supports this legislation, and there is absolutely no controversy with it. I commend our colleague, the gentleman from California (Mr. GEORGE MILLER) for his work on the bill. I urge passage of H.R. 3706.

Mr. Speaker, I yield back the balance of my time.

Mr. GIBBONS. Mr. Speaker, I congratulate my colleague and friend, the gentleman from West Virginia (Mr. RAHALL), for his courtesies on this bill. We have no further requests for time to speak in favor of this legislation.

Mr. Speaker, I urge my colleagues to vote "aye" on this bill.

Mr. GEORGE MILLER of California. Mr. Speaker, I want to thank the House for considering the John Muir National Historic Site Boundary Adjustment Act today. My district is home to the residence of John Muir, his orchards, and Mt. Wanda, named for his daughter. Without John Muir's efforts, Yosemite National Park would not exist, and as first president of the Sierra Club, he helped sharpen Californians' appreciation for the Sierra Mountains, which he called "The Range of Light."

In addition to its historical significance, the former Muir estate provides valuable open space in the rapidly growing Bay Area. In 1988, we enacted legislation to expand the John Muir Historic Site. Following a survey conducted as part of the development of the General Management Plan, the Park Service discovered that a .2 acre triangle adjacent to the newly acquired parcel did not belong to the City of Martinez. In fact, it did not belong to anyone.

In order to meet the growing needs of site users, the Park Service would greatly benefit from a boundary adjustment to finally put to rest the question of property title to this small triangle of land. This bill will allow the Park Service to either acquire the land if an heir or former owner is identified, or condemn the property if an heir is not found. Once the title to the land is clear, the Park Service would be free to begin construction on a 32 vehicle parking area that would utilize the .2 acre parcel. This will allow greater access for schools, seniors groups, and everyone else interested in wilderness conservation, and the history of modern environmentalism.

This boundary adjustment is supported by Contra Costa County and the City of Martinez. Enactment of this legislation allows the Park Service to enhance public understanding of John Muir's contributions, while also facilitating access to an important recreation area in my district. I thank my colleagues for their support of this legislation.

Mr. GIBBONS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. TERRY). The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 3706.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 48 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BLACKBURN) at 6 o'clock and 30 minutes p.m.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed. Votes will be taken in the following order:

H. Res. 591, by the yeas and nays;

H.R. 4363, by the yeas and nays;

H. Res. 660, by the yeas and nays.

The first and third electronic votes will be conducted as 15-minute votes. The second vote in this series will be a 5-minute vote.

## COMMUNITY BANKING MONTH

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 591.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and agree to the resolution, H. Res. 591, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 364, nays 0, not voting 69, as follows:

[Roll No. 276]

YEAS—364

Abercrombie  
Ackerman  
Ackerholt  
Akin  
Alexander  
Allen  
Andrews  
Baca  
Bachus  
Baird  
Baldwin  
Barrett (SC)

Bartlett (MD)  
Barton (TX)  
Bass  
Beauprez  
Bell  
Berkley  
Berry  
Biggert  
Billirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)

Blackburn  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boswell  
Boucher  
Bradley (NH)

Brady (PA)  
Brady (TX)  
Brown (OH)  
Brown (SC)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Burgess  
Burns  
Burton (IN)  
Buyer  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Capuano  
Cardin  
Cardoza  
Carter  
Case  
Castle  
Chandler  
Chocola  
Clay  
Clyburn  
Coble  
Cole  
Conyers  
Cooper  
Costello  
Cox  
Cramer  
Crane  
Crenshaw  
Crowley  
Cubin  
Culberson  
Cunningham  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis (TN)  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
DeFazio  
DeGette  
Delahunt  
DeLauro  
DeLay  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Dooley (CA)  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Emerson  
English  
Eshoo  
Etheridge  
Evans  
Farr  
Fattah  
Feeney  
Ferguson  
Filner  
Flake  
Foley  
Forbes  
Ford  
Fossella  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Goss  
Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Grijalva  
Gutknecht

Hall  
Harman  
Harris  
Hart  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hensarling  
Herger  
Herseth  
Hill  
Hinchee  
Hobson  
Hoeffel  
Holden  
Holt  
Honda  
Hoolley (OR)  
Hostettler  
Houghton  
Hoyer  
Hunter  
Hyde  
Inslee  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kildee  
Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Klecza  
Kline  
Knollenberg  
Kolbe  
Kucinich  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Lynch  
Maloney  
Manzullo  
Markey  
Marshall  
Matheson  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCotter  
McCrery  
McDermott  
McHugh  
McIntyre  
McKeon  
McNulty  
Meek (FL)  
Mica  
Michaud  
Millender  
McDonald  
Miller (MI)  
Miller (NC)  
Miller, Gary

Miller, George  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Murphy  
Musgrave  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Nethercutt  
Neugebauer  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Oberstar  
Obey  
Oliver  
Ortiz  
Osborne  
Ose  
Otter  
Oxley  
Pallone  
Pascarell  
Pastor  
Paul  
Payne  
Pearce  
Pence  
Peterson (MN)  
Petri  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Price (NC)  
Pryce (OH)  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Renzi  
Reynolds  
Rodriguez  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Ross  
Rothman  
Roybal-Allard  
Ruppersberger  
Ryan (OH)  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanchez, Linda  
T.  
Sanchez, Loretta  
Sandlin  
Saxton  
Schiff  
Schrock  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stearns  
Stenholm  
Strickland  
Stupak  
Sullivan  
Tancred